IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 0 7 2005

Applicant(s): STIRCKLAND, Roger et al.

Serial No.: 10/689,174

Filed: 10/20/2003

Title: NASAL CANNULA

Group Art Unit: 3743

Examiner: MITCHELL, Teena Kay

Attorney Docket No.: BECK-0001-US

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- __ under 37 CFR 1.97(b), or
- (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- X under 37 CFR 1.97(c) together with either a:
 - Statement under 37 CFR 1.97(e), or
 - X a \$180.00 fee under 37 CFR 1.17(p),

 (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- __ under 37 CFR 1.97(d) together with a:
 - ___ Statement under 37 CFR 1.97(e), and
 - __ a \$180.00 fee set forth in 37 CFR 1.17(p).
 - (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

06/08/2005 SZEWDIE1 00000034 10689174

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- II. COPIES (check at least one box)
- a. x Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. x Some or all of the documents listed on the PTO-1449 are not enclosed because they are either U.S. Patents or Published Applications or were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.
- III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)
 - a. _ x DOCUMENTS IN THE ENGLISH LANGUAGE

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ENGLISH LANGUAGE SEARCH REPORT

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. OTHER

The following additional information is provided for the Examiner's consideration.

It is requested that the information disclosed herein be made of record in this application. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account <u>50-3136</u> and please credit any excess fees to such deposit account.

Respectfully submitted,

I hereby certify that this Correspondence is being deposited with the
United States Postal service with sufficient postage for first class mail
in an envelope address to the Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450, or the correspondence is being
facsimile transmitted to the USPTO, on the date indicated below.

Date of Deposit:	
Typed Name:	
Signature:	

Timothy J. Maier

Attorney/Agent for Applicant(s)

Reg. No. 51986

Date: June 7, 2005

Telephone No.: 1.703.740.8322

PTO/SB/08a (08-03)

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Application Number	10/689,174	
Filing Date	10/20/2003	
First Named Inventor	STRICKLAND, Roger et al.	
Art Unit	3743	
Examiner Name	Mitchell, Teena Kay	
Attorney Docket Number	BECK-0001-US	

		·	U.S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number - Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,271,391	12/21/1993	Graves	
		US- 5,533,506	7/9/1996	Wood	
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		US- 4,601,465	7/22/1986	Roy	

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		Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines,	
Examiner Cite Initials* No.	Cite No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	Τ ⁶
	1	GB0532214	1/20/1941			Ī
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE		Filing Date	10/20/2003		
STATEMENT BY APPLICANT		First Named Inventor	STRICKLAND, Roger et al.		
				Art Unit	3743
(Use as many sheets as necessary)		Examiner Name	Mitchell, Teena Kay		
Sheet 2 of 6		Attorney Docket Number	BECK-0001-US		

	NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²			
		SNAPP NASAL INTERFACE, Tiara Medical Systems, Inc. http://www.tiaramed.com/asp_shop/shopdisplayproducts.asp?id=109&cat=SNAPP%2A+Nasal+Interface, viewed 5/17/05				

Examiner		Date	
Signature	the same	Considered	

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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30	Substitute for form 1449A/PTO			Application Number	10/689,174	
ı	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Filing Date	10/20/2003	
				First Named Inventor	STRICKLAND, Roger et al.	
				Art Unit	3743	
				Examiner Name	Mitchell, Teena Kay	
Sheet	Sheet 3 of 6		Attorney Docket Number	BECK-0001-US		

		<u> </u>	U.S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number - Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,038,772	8/13/1991	Kolbe et al.	
		US- 5,074,297	12/24/1991	Venegas	
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Sul	Substitute for form 1449A/PTO			Complete if Known		
				Application Number	10/689,174	
	NFORMATION DISC	-		Filing Date	10/20/2003	
S	STATEMENT BY AP	PLIC	ANT	First Named Inventor	STRICKLAND, Roger et al.	
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Examiner Initials*	Cite No.1	Document Number Number - Kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,000,173	3/19/1991	Zalkin et al.	
	<u> </u>	US- 5,022,900	6/11/1991	Bar-Yona et al.	
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		US- 5,137,017	8/11/1992	Salter	
		US- 5,335,656	8/9/1994	Bowe et al.	
	<u> </u>	US- 5,375,593	12/27/1994	Press	
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Substitute for form 1449A/PTO				Complete if Known		
Substitute for form 1443/AFTO				Application Number	10/689,174	
11	NFORMATION DISCL	LOS	URE	Filing Date	10/20/2003	
S	STATEMENT BY APPLICANT			First Named Inventor	STRICKLAND, Roger et al.	
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Examiner Initials*	Cite No.1	Number - Kind Code ^{2 (if known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
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	Substitute for form 1449A/PTO			Application Number	10/689,174
	INFORMATION DISC	LOS	URE	Filing Date	10/20/2003
	STATEMENT BY APPLICANT			First Named Inventor	STRICKLAND, Roger et al.
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	<u> </u>	US- 5,477,852	12/26/1995	Landis et al.	
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